

HOUSE JOINT RESOLUTIONS

"Section 51-f. The Legislature of this State shall have the authority to provide for a system of retirement and disability pensions for appointive officers and employees of cities and towns to operate Statewide or by districts under such a plan and program as the Legislature shall direct and shall provide that participation therein by cities and towns shall be voluntary; provided that the Legislature shall never make an appropriation to pay any of the cost of any system authorized by this Section."

Sec. 2. The foregoing Constitutional Amendments shall be submitted to a vote of the qualified electors of this State at an election to be held throughout the State in November, 1944, at which all ballots shall have printed thereon, "For the Constitutional Amendment providing that the cities and towns in this State shall have the power and authority to provide a system of pensions for their appointive officers and employees," and "Against the Constitutional Amendment providing that all cities and towns in this State shall have the power and authority to provide a system of pensions for their appointive officers and employees." All ballots at such election shall also have printed thereon, "For the Constitutional Amendment giving authority to the Legislature to provide for a system of retirement and disability pensions for appointive officers and employees of the cities and towns" and "Against the Constitutional Amendment giving authority to the Legislature to provide for a system of retirement and disability pensions for appointive officers and employees of cities and towns." Each voter shall scratch out two (2) of said clauses on the ballot, leaving the two (2) expressing his vote on the proposed Amendments.

Sec. 3. The Governor of the State of Texas shall issue the necessary proclamation for said election and shall have the same published as required by the Constitution for Amendments thereto.

Sec. 4. The sum of Five Thousand Dollars (\$5,000), or so much thereof as may be necessary, is hereby appropriated out of any funds in the Treasury of the State, not otherwise appropriated, to pay the expenses of such publication and election.

Passed the House, March 23, 1943: Yeas 107, Nays 2; House concurred in Senate amendments, April 21, 1943: Yeas 113, Nays 2; passed the Senate, as amended, April 21, 1943: Yeas 22, Nays 0.
Approved April 22, 1943. To be voted at election to be held Nov. 7, 1944.

CONSTITUTIONAL AMENDMENT—ARTICLE 8, § 9

H. J. R. No. 18

Proposing an Amendment to Section 9 of Article 8 of the Constitution of the State of Texas, by changing said Section 9 so as to provide that the Commissioners Court in any county may re-allocate the county tax levies authorized in said section by changing the rates provided for any of the purposes authorized in said section by either increasing or decreasing the same, but in no event shall the total of such taxes exceed eighty (80) cents on the one hundred dollars valuation for any one year; providing that before such Commissioners Court may make such re-allocations and changes in such levies that the same shall be submitted to the qualified property tax paying voters of such county at a general or special election and shall be approved by a majority of the qualified property tax paying voters, voting in such election; providing that if and when such re-allocations and changes in such county tax levies have been approved by the qualified property tax paying voters of any county as herein provided, such re-allocations and changes shall remain in force and effect for a period of six (6) years from the date of the election at which same shall be approved, unless the same again shall have been changed by a majority vote of the qualified property tax paying voters of such county, voting on the proposition, after submission by

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the Commissioners Court at a general or special election for that purpose; providing that this section shall not be construed as a limitation on powers delegated to counties, cities or towns by any other section or sections of this Constitution; fixing the time for the election for the adoption or rejection of said proposed Constitutional Amendment; making certain provisions for said election and ballots thereof and the method thereof; directing the issuance of proclamation therefor; prescribing certain duties of the Governor of the State of Texas; and making an appropriation to defray the expenses of said election.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Section 9 of Article 8 of the Constitution of the State of Texas, be so amended that the same will hereafter read as follows:

"Section 9. The State tax on property, exclusive of the tax necessary to pay the public debt, and of the taxes provided for the benefit of the public free schools, shall never exceed thirty-five (35) cents on the one hundred dollars valuation; and no county, city or town shall levy more than twenty-five (25) cents for city or county purposes, and not exceeding fifteen (15) cents for roads and bridges, and not exceeding fifteen (15) cents to pay jurors, on the one hundred dollars valuation, except for the payment of debts incurred prior to the adoption of the Amendment September 25, 1883; and for the erection of public buildings, streets, sewers, waterworks and other permanent improvements, not to exceed twenty-five (25) cents on the one hundred dollars valuation, in any one year, and except as is in this Constitution otherwise provided; provided, however, that the Commissioners Court in any county may re-allocate the foregoing county taxes by changing the rates provided for any of the foregoing purposes by either increasing or decreasing the same, but in no event shall the total of said foregoing county taxes exceed eighty (80) cents on the one hundred dollars valuation, in any one year; provided further, that before the said Commissioners Court may make such re-allocations and changes in said county taxes that the same shall be submitted to the qualified property tax paying voters of such county at a general or special election, and shall be approved by a majority of the qualified property tax paying voters, voting in such election; and, provided further, that if and when such re-allocations and changes in the aforesaid county taxes have been approved by the qualified property tax paying voters of any county, as herein provided, such re-allocations and changes shall remain in force and effect for a period of six (6) years from the date of the election at which the same shall be approved, unless the same again shall have been changed by a majority vote of the qualified property tax paying voters of such county, voting on the proposition, after submission by the Commissioners Court at a general or special election for that purpose; and the Legislature may also authorize an additional annual ad valorem tax to be levied and collected for the further maintenance of the public roads; provided, that a majority of the qualified property tax paying voters of the county voting at an election to be held for that purpose shall vote such tax, not to exceed fifteen (15) cents on the one hundred dollars valuation of the property subject to taxation in such county. And the Legislature may pass local laws for the maintenance of the public roads and highways, without the local notice required for special or local laws. This section shall not be construed as a limitation of powers delegated to counties, cities or towns by any other section or sections of this Constitution."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this State at a general election to be held throughout the State of Texas on the seventh day of November,

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1944, at which election all voters favoring the proposed Amendment shall write or have printed on their ballots the following words:

"For the Amendment to Section 9 of Article 8 of the Constitution of the State of Texas, so as to provide that the Commissioners Court in any county may re-allocate the county tax levies authorized in said section by changing the rates provided for any of the purposes authorized in said section by either increasing or decreasing the same, but in no event shall the total of such taxes exceed eighty (80) cents on the one hundred dollars valuation for any one year; providing that before such Commissioners Court may make such re-allocations and changes in such levies that the same shall be submitted to the qualified property tax paying voters of such county at a general or special election and shall be approved by a majority of the qualified property tax paying voters, voting in such election; providing that if and when such re-allocations and changes in such county tax levies have been approved by the qualified property tax paying voters of any county as herein provided, such re-allocations and changes shall remain in force and effect for a period of six (6) years from the date of the election at which same shall be approved, unless the same shall have been changed by a majority vote of the qualified property tax paying voters of such county, voting on the proposition, after submission by the Commissioners Court at a general or special election for that purpose; and providing that this Amendment shall not be construed as a limitation on powers delegated to counties, cities or towns by any other section or sections of the Constitution."

Those opposing said proposed Amendment shall write or have printed on their ballots the following words:

"Against the Amendment to Section 9 of Article 8 of the Constitution of the State of Texas, so as to provide that the Commissioners Court in any county may re-allocate the county tax levies authorized in said section by changing the rates provided for any of the purposes authorized in said section by either increasing or decreasing the same, but in no event shall the total of such taxes exceed eighty (80) cents on the one hundred dollars valuation for any one year; providing that before such Commissioners Court may make such re-allocations and changes in such levies that the same shall be submitted to the qualified property tax paying voters of such county at a general or special election and shall be approved by a majority of the qualified property tax paying voters, voting in such election; providing that if and when such re-allocations and changes in such county tax levies have been approved by the qualified property tax paying voters of any county as herein provided, such re-allocations and changes shall remain in force and effect for a period of six (6) years from the date of the election at which same shall be approved, unless the same shall have been changed by a majority vote of the qualified property tax paying voters of such county, voting on the proposition, after submission by the Commissioners Court at a general or special election for that purpose; and providing that this Amendment shall not be construed as a limitation on powers delegated to counties, cities or towns by any other section or sections of the Constitution."

If it appears from the returns of said election that a majority of the votes cast are in favor of said Amendment, the same shall become a part of the State Constitution.

Sec. 3. The Governor of the State of Texas shall issue the necessary proclamation for said election, and shall have the same published as required by the Constitution and Laws of this State.

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Sec. 4. The sum of Five Thousand Dollars (\$5,000), or so much thereof as may be necessary, is hereby appropriated out of any funds in the Treasury of the State, not otherwise appropriated, to pay the expenses of such publication and election.

Passed the House, March 9, 1943: Yeas 113, Nays 0; House concurred in Senate amendments, March 31, 1943: Yeas 107, Nays 0; passed the Senate, as amended, March 31, 1943: Yeas 24, Nays 0.

Approved April 6, 1943. To be voted on at election to be held Nov. 7, 1944.